

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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LOURDES QUINONES ex rel. C.A., :  
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USDC SDNY
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DATE FILED: <u>6/22/09</u>

Plaintiff, : 08 Civ. 4374 (WHP) (GWG)

-against- : ORDER

MICHAEL J. ASTRUE, :  
*Commissioner of Social Security*, :  
:

Defendant. :  
:  
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WILLIAM H. PAULEY III, District Judge:

On February 18, 2009, Plaintiff filed a document entitled "Affirmation in Opposition to Motion" (Docket No. 13). The Court referred the motion to Magistrate Judge Gabriel W. Gorenstein. As part of the referral, Magistrate Judge Gorenstein filed a report and recommendation ("Report") describing the reasons why the motion, which he construed liberally as a motion under Fed. R. Civ. P. 60(b) to re-open the case, should be denied, and sent the Report to the parties on May 21, 2009. As of this date neither party has submitted any objection to the Report nor requested an extension of time in which to do so. This Court has reviewed the Report, finds that the Report is not facially erroneous, and affirms and adopts it. Therefore, Plaintiff's motion pursuant to Fed. R. Civ. P. 60(b) to re-open this case is denied.

The Clerk of the Court shall terminate all pending motions and mark this case closed.

Dated: June 19, 2009  
New York, New York

SO ORDERED:



WILLIAM H. PAULEY III  
U.S.D.J.

*Copies mailed to:*

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Hon. Gabriel W. Gorenstein